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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

901 ERNSTON ROAD LLC,

Plaintiff,

v.

BOROUGH OF SAYREVILLE ZONING
BOARD OF ADJUSTMENT; *and*
BOROUGH OF SAYREVILLE,

Defendants.

Civil Action No.: 3:18-cv-02442-AET-TJB

**ORDER TO SHOW CAUSE WHY THE
COURT SHOULD NOT ISSUE A
PRELIMINARY INJUNCTION
DIRECTING ISSUANCE OF
NECESSARY ZONING
APPROVALS AND ENJOINING
DISCRIMINATORY CONDUCT**

THIS MATTER having come before the Court on the application (the “Application”) of Plaintiff, 901 Ernston Road LLC (“Plaintiff”), through its attorneys, Marino, Tortorella & Boyle, P.C. (Kevin H. Marino, Esq., appearing) and Kaufman, Coren & Ress, P.C. (Steven M. Coren, Esq., appearing), for entry of an Order, pursuant to Federal Rule of Civil Procedure 65(a) and Local Civil Rule 65.1, requiring Defendants, Borough of Sayreville Zoning Board of Adjustment and Borough of Sayreville (collectively, “Defendants”), to show cause why the Court should not grant a preliminary injunction (a) directing Defendants to issue all zoning approvals necessary for the construction and operation of a proposed residential drug and alcohol treatment facility (the

* *Pro hac vice* applications to be submitted.

“Facility”) at 901 Ernston Road, Borough of Sayreville, County of Middlesex, State of New Jersey (Block 438, lot 1, Block 452, lot 1, as shown on the current tax map of the Borough of Sayreville) (the “Property”); and (b) enjoining Defendants from persisting in discriminatory conduct designed to thwart the construction and operation of the Facility at the Property; and the Court having considered all submissions of the parties and argument of counsel; and good cause having been shown;

IT IS on this ____ day of _____, 2018, **ORDERED** that Plaintiff’s Application for an Order to Show Cause is **GRANTED** in full; and

IT IS FURTHER ORDERED that on the ____ day of _____, 2018 at _____, Defendants shall appear and show cause before the Honorable Anne E. Thompson, U.S.D.J., United States District Court for the District of New Jersey, Clarkson S. Fisher Federal Building & U.S. Courthouse, Courtroom 4W, 402 East State Street, Trenton, NJ 08608, why the Court should not enter a preliminary injunction order:

- (a) directing Defendants to issue all zoning approvals necessary for the construction and operation of the Facility at the Property; and
- (b) enjoining Defendants from persisting in discriminatory conduct designed to thwart the construction and operation of the Facility at the Property; and

IT IS FURTHER ORDERED that Defendants shall file and serve any written response to this Order to Show Cause by the ____ day of _____, 2018; and

IT IS FURTHER ORDERED that Plaintiffs shall file and serve any written reply to Defendants’ opposition to this Order to Show Cause by the ____ day of _____, 2018.

HONORABLE ANNE E. THOMPSON, U.S.D.J.